

ANATOLIJS JANITIS

JUNE 30, 1960.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H.R. 4555]

The Committee on the Judiciary, to which was referred the bill (H.R. 4555) for the relief of Anatolijs Janitis, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one afflicted with tuberculosis in behalf of the son of lawful resident aliens. The bill provides for the posting of a bond as a guarantee that the beneficiary will not become a public charge.

STATEMENT OF FACTS

The following information was contained in House Report No. 1810, on the bill:

The beneficiary is a 37-year-old native and citizen of Latvia who has resided in Germany since 1944 and is employed as a clerk in a school for U.S. servicemen's children. His parents are lawfully resident aliens in the United States and his sister is a U.S. citizen. Since 1947, with the exception of the years 1951 to 1955, the beneficiary has been employed by the U.S. Armed Forces.

The facts in this case are contained in a letter dated May 4, 1959, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., May 4, 1959.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H.R. 4555) for the relief of Anatolijs Janitis, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would waive the provision of the Immigration and Nationality Act which excludes from admission to the United States aliens who are afflicted with tuberculosis in any form, or with leprosy, or any dangerous contagious disease and would provide that the alien may be issued a visa and admitted to the United States for permanent residence, if he is otherwise admissible under that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the U.S. Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose. The bill would also require that, if the alien is not entitled to medical care under the Dependents' Medical Care Act, a bond be deposited to insure that he shall not become a public charge. The bill would further provide that this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to its enactment.

Sincerely,

J. M. SWING, *Commissioner.*

"MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE ANATOLIJS JANITIS,
BENEFICIARY OF H.R. 4555

"Information concerning this case was obtained from Irene Unichovskis, the beneficiary's sister.

"Anatolijs Janitis, a native and citizen of Latvia, was born on November 13, 1922. He is single. He has resided in Germany since 1944. His present address is Weil 36, Esslingen/Neckar, Germany. He completed elementary and high schools in his native country. He is employed as a clerk by Nellingen American Elementary School, a school for American servicemen's children in Germany. Information concerning his income and assets is not available. His parents are permanent residents of the United States. The beneficiary was refused an immigrant visa at the American Consulate in Munich, Germany, during 1950 because he was afflicted with tuberculosis. The committee may desire to request the Bureau of Security and Consular Affairs, De-

partment of State, to secure information in this connection. The beneficiary has never been in the United States.

"Irene Unichovskis, nee Janitis, was born in Valka, Latvia, on March 21, 1924. She immigrated to the United States on April 6, 1950, and became a citizen of this country by naturalization on March 27, 1955. She resides with her husband, a naturalized citizen of the United States, and her parents at 1206 Morning Sun Drive, Pomona, Calif. Mrs. Unichovskis is employed as a salad girl by the Pomona Valley Community Hospital and receives \$210 a month. Her husband is employed as a turret lathe operator and receives \$450 a month. They have assets valued at \$8,000 including an equity in their home, an automobile, savings, and furniture."

The Acting Director of the Visa Office, Department of State, submitted the following report on this legislation:

DEPARTMENT OF STATE,
Washington, July 27, 1959.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CELLER: I refer to your letter of March 11, 1959, requesting a report in the case of Anatolijs Janitis, beneficiary of H.R. 4555, 86th Congress, introduced by Mr. Kasen on February 16, 1959. The bill would make the beneficiary eligible to receive a visa and admissible to the United States notwithstanding a ground of excludability arising under section 212(a)(6) of the Immigration and Nationality Act under such conditions and controls which the responsible administrative authorities may deem necessary to impose.

According to information received from the American consulate general at Munich, Germany, the beneficiary was born on November 13, 1922, at Zimeri, Valka, Latvia. He is single and resides at Weilstrasse 36, Esslingen Neckar, Germany. He attended elementary school, high school, and has had two semesters at the university. He has never performed any military service. He has been employed as follows:

February to September 1947, as dispatcher with the U.S. Army 7919 Labor Service Company;

September 1947 to December 1949, as dispatcher, military post motor pool, U.S. forces;

January 1950 to January 1951, as clerk IRO Area 2, Headquarters;

January 1951 to September 1955, unemployed;

September 1955 to July 1957, as guard with 8920 Labor Service Company, U.S. forces;

September 1957 to date, as supply clerk at Nellingen, American School, U.S. forces.

The beneficiary was found ineligible to receive a visa under section 212(a)(6) of the Immigration and Nationality Act on the basis of a medical certificate issued by the U.S. Public

Health Service medical examiner on June 19, 1958, reading: "Class A-II, pulmonary tuberculosis, effective December 5, 1957."

The beneficiary is registered as of September 11, 1951, under the fourth preference portion of the Latvian quota.

Sincerely yours,

ROBERT J. CAVANAUGH,
Acting Director, Visa Office.

Mr. Kasem's testimony before a subcommittee of the Committee on the Judiciary reads as follows:

"Mr. Chairman, I have introduced H.R. 4555, a bill for the relief of Mr. Anatolijs Janitis, who was born in Latvia on November 13, 1922. He is single and presently resides at Weillstrasse 36, Esslingen/Neckar, Germany, and is registered as of September 11, 1951, under fourth preference, with the American consulate, Munich, Germany.

"The bill would waive section 212(a)(6) of the Immigration and Nationality Act, which excludes Mr. Janitis because he is afflicted with tuberculosis. It would provide that he may be issued a visa and admitted to the United States for permanent residence, if otherwise admissible under the act, under such conditions and controls as the Attorney General may deem necessary to impose. It would also require that, if he is not entitled to medical care under the Dependent's Medical Care Act, a bond be deposited to insure that he shall not become a public charge. It would further provide that this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to its enactment.

"Mr. Janitis has one sister, Irene Unichovskis, a naturalized citizen of the United States as of March 27, 1955, and his parents, Janis and Merija Janitis, permanent residents since December 1951, all living at 1206 Morning Sun Drive, Pomona, Calif. Mr. Unichovskis is also a naturalized citizen of the United States.

"Mrs. Unichovskis and her husband earn a combined salary of \$660 per month and have assets valued at \$8,000, including an equity in their home, an automobile, savings, and furniture."

"Mr. Janitis has a total of approximately 8 years employment between 1947 and the present time with the U.S. forces in Germany as a dispatcher, clerk, guard, and is presently a supply clerk at Nellingen, American School, U.S. forces—a job which he has held since September 1957.

"He was first refused an immigrant visa at Munich in 1950 because of tuberculosis and has been reexamined and refused a visa several times since then. At my request an examination was conducted by the Public Health Service on December 22, 1959, to determine whether or not he might be eligible for a visa at this time. Dr. Theodore Heller stated that it is not likely that he will become medically eligible for years to come, so the private bill is still necessary.

"Judging from Mr. Janitis' employment record and his education, which includes elementary school, high school, and two semesters at the university, he is capable of supporting himself. First Lt. Gene R. Rasmussen, school officer at Nellingen, has certified that he has performed his duties in his present position in an excellent manner.

"His only close relatives are those listed above in the United States. His mother, and father, who is 78, are in rather poor health.

"Mr. Chairman, I urge that the subcommittee recommend favorable action on H.R. 4555."

The committee, after consideration of all the facts, in the case, is of the opinion that the bill (H.R. 4555) should be enacted.



